

Appl. No. 09/896,533  
Amdt. dated December 6, 2005  
Reply to Office action of July 6, 2005

Docket No. 10758-15

### REMARKS

Claims 1 – 24 remain in this application. Claims 1 and 9 have been amended. No claims have been added or deleted. Applicants respectfully request consideration of the claims 1 – 24.

#### 1. Claim Rejections - 35 U.S.C. § 101 – Claims 1 - 24

Claims 1 – 24 are pending in the present application and were rejected in the Office Action dated July 6, 2005 by the Examiner under 35 U.S.C. § 101 for failing to recite post-solution activity with the preamble reciting a mathematical process. Applicants respectfully disagree with Examiner's basis for his rejection. Furthermore, Applicants respectfully submit that claims 1 - 24 recite statutory subject matter as required under 35 U.S.C. §101.

However, in the interest of furthering prosecution, Applicants have amended independent claims 1 and 9. Accordingly, Applicants respectfully request the withdrawal of Examiner's 101 rejection.

#### 2. Claim Rejections - 35 U.S.C. § 102(a) – Claims 1 - 24

Claims 1 – 24 are pending in the present application and were rejected in the Office Action dated July 6, 2005 by the Examiner under 35 U.S.C. § 102(a) as being anticipated by Hochberg *et al.* ("Simulant Inc." December (2000)). In a telephone conversation with the Examiner on December 2, 2005, the Examiner stated the 102(a) rejection was being withdrawn. Applicants respectfully thank the Examiner for withdrawing this rejection.

### CONCLUSION

Applicants have made an earnest and bona fide effort to clarify the issues before the Examiner and to place this case in condition for allowance. Therefore, consideration and allowance of claims 1-24 is believed to be in order, and an early Notice of Allowance to this effect is respectfully requested.

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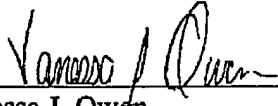
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No fee is believed due with the submission of this paper. However, if the Applicant is mistaken, the Commissioner is hereby authorized to charge any required fees from Deposit Account No. 502811, Deposit Account Name BROWN RAYSMAN MILLSTEIN FELDER & STEINER.

Should the Examiner have any questions concerning the foregoing, the Examiner is invited to telephone the undersigned attorney at (310) 712-8300. The undersigned attorney can normally be reached Monday through Friday from about 9:00 AM to 6:00 PM Pacific Time.

Respectfully submitted,

Date: December 6, 2005

  
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